

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, et al.,  
Plaintiffs,  
v.  
GOOGLE LLC,  
Defendant.

Case No. 20-cv-03664-LHK (SVK)

**ORDER ON ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**

Re: Dkt. No. 139

Now before the Court is Google’s Administrative Motions to File Documents Under Seal (Dkt. 139) seeking to seal portions of the parties’ April 23, 2021 Joint Discovery Letter Brief (Dkt. 140).

Courts recognize a “general right to inspect and copy public records and documents, including judicial records and documents.” *Kamakana v. City & Cnty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Communs., Inc.*, 435 U.S. 589, 597 & n.7 (1978)). A request to seal court records therefore starts with a “strong presumption in favor of access.” *Kamakana*, 447 F.3d at 1178 (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). The standard for overcoming the presumption of public access to court records depends on the purpose for which the records are filed with the court. A party seeking to seal court records relating to motions that are “more than tangentially related to the underlying cause of action” must demonstrate “compelling reasons” that support secrecy. *Ctr. For Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir. 2016). For records attached to motions that re “not related, or only tangentially related, to the merits of the case,” the lower “good cause” standard of Rule 26(c) applies. *Id.*; *see also Kamakana*, 447 F.3d at 1179. A party moving to seal court records must also comply with the procedures established by Civil Local Rule 79-5.

Here, the “good cause” standard applies because the information the parties seek to seal was submitted to the Court in connection with a discovery-related motion, rather than a motion that concerns the merits of the case. The Court may reach different conclusions regarding sealing

these documents under different standards or in a different context. Having considered the motions to seal, supporting declarations, and the pleadings on file, and good cause appearing, the Court **ORDERS** as follows:

Document Sought to be Sealed	Court's Ruling on Motion to Seal	Reason(s) for Court's Ruling
Joint Discovery Statement, Joint Statement Regarding Class Member Identification (Chart A # P6)	GRANTED as to redacted portions at 4:11-15, 4:17, 4:18-19, 4:27, 5:10, 5:14	Narrowly tailored to protect highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to the various types of unauthenticated identifiers/cookies Google uses internally and their proprietary functions, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors.
Joint Discovery Statement, Chart B	GRANTED as to redacted portions at 13 (P6, Plaintiffs RFP 10), 15-16 (P9, Plaintiffs RFP 86), 16-17 (P9, Plaintiffs RFP 87), 18 (P9, Plaintiffs RFP 92), 20 (P9, Plaintiffs RFP 128), 21-22 (P9, Plaintiffs RFP 129), 23 (P9, Plaintiffs RFP 130)	Narrowly tailored to protect highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including details related to the various types of unauthenticated identifiers/cookies Google uses internally and their proprietary functions, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors.
Joint Discovery Statement, Chart C	GRANTED as to redacted portions at pages 30-32 (Interrogatory No. 2), 36-37 (Interrogatory No. 5)	Narrowly tailored to protect information concerning details of Plaintiffs' private browsing and personal email addresses, which Plaintiffs maintain is confidential and not generally known to the public.

**SO ORDERED.**

Dated: May 4, 2021



SUSAN VAN KEULEN  
United States Magistrate Judge